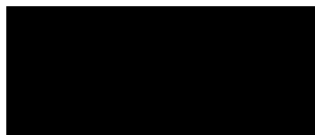


Our Ref: CAT-DN/SP/GS
Contact: Gary Stark
Tel: 07939314527
E-mail: NLCCommunityOwnership@northlan.gov.uk
Date: 5 November 2024



[REDACTED]
Fir Park Corner FC



Chief Executives Office
Community Partnership Team
Civic Square
Floor 3
Motherwell
ML1 1AB
www.northlanarkshire.gov.uk

Dear [REDACTED]

COMMUNITY ASSET TRANSFER APPLICATION - DECISION NOTICE

This Decision Notice relates to the asset transfer request made by Fir Park Corner Football Club on 12 June 2024 in relation to Overtown Playing Field and Pavilion (56-58 Castlehill Road, Overtown, Wishaw, ML2 0QS)

North Lanarkshire Council has decided to **agree** to the request. The reasons for this decision are as follows:

- The application scored strongly or very strongly in 7 of the 8 assessment criteria.
- Community support for the transfer and future plans of the club was clear with relevant supporting evidence.
- Overall, the applicant provided assurance that community ownership of the Overtown sports pitch and pavilion by Fir Park corner Football Club has the potential to make a lasting impact on the health and wellbeing of the club's members and to provide a valuable asset to the wider community.

Additionally, I am confirming that the terms and conditions subject to which we would be prepared to transfer ownership of the land and building to you has been issued by North Lanarkshire Council estates team. (Attached again for your records.)

Going forward, a draft offer will be required and thereafter considered and adjusted by our relative solicitors. Final dates for submission of the offer will be confirmed in due course but will be expected no later than 6 months from the date of this notice.

The offer must reflect the terms and conditions attached and may include such other reasonable terms and conditions as are necessary or expedient to secure the transfer within a reasonable time.



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Right to review

If you consider that the terms and conditions attached differ to a significant extent from those specified in your request, you may apply to the Council to review this decision.

Any application for review must be made in writing and emailed to NLCCommunityOwnership@northlan.gov.uk by Tuesday 3 December, which is 20 working days from the date of this notice.

Guidance on making an application for review is available at <http://www.beta.gov.scot/policies/community-empowerment/asset-transfer>

If you require any additional information, please contact my colleague Gary Stark on:

Email: StarkGa@northlan.gov.uk **Mobile:** 07939314527

For any legal matters or clarifications, we recommend you consult a solicitor for advice.

Yours sincerely

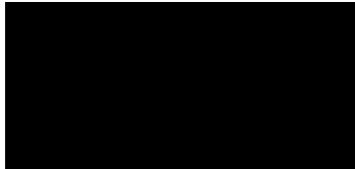
Stephen Penman
Chief Officer - Strategic Communications & Engagement

Enclosed – Heads of Terms

Our Ref: Fir Park Corner FC
Your Ref:
Contact: Emma MacDougall
Tel:
E-mail: macdougall@m.northlan.gov.uk
Date: 4 Nov 2024



Nothing in this letter should be taken as binding on the Council in any form of legal contract



Enterprise & Communities

James McKinstry
Chief Officer (Assets and Procurement)
Ground Floor Civic Centre
Windmillhill Street
Motherwell
ML1 1AB
www.northlanarkshire.gov.uk

Dear 

Community Asset Transfer of 56-58 Castlehill Road, Overtown – Heads of Terms

Following a positive in principle decision on your CAT application, we propose the following Heads of Terms.

1. The council, subject to appropriate committee and or delegated approval, is prepared to negotiate detailed terms for the application site, with Title number to be confirmed. The asset can be described as a sports pavilion with grass playing field, total area extending to 3.702 acres or thereby.
2. The disposal plan is being prepared and will be issued for your agreement in due course.
3. Per the CAT request, the price will be £17,500 (Seventeen Thousand and Five Hundred Pounds Sterling). It is noted the asset is valued at a higher level and as such the council will be seeking a standard security and Minute of Agreement in terms to its satisfaction to protect the discount level. This will require further detailed discussions. VAT might be applicable to the price.
4. The sale will be subject to the purchaser's satisfaction with the council's title. The whole of the title area will be sold. It has been initially noted that there is the possibility of encroachments into the title by third parties. As such the sale is based on the site as is and the council will not seek to resolve any possible encroachments ahead of the sale.
5. The sale is not subject to any statutory consents nor to satisfaction with ground condition. It has been noted from historic records that there may be a mine entry in the top right-hand corner of the site. The council only holds limited information on this matter. It might be that the purchaser will have to take a view on this matter and if required investigate further at your own cost.
6. The pavilion will be transferred as part of the sale in their present conditions with no warranties given by the council. The purchaser will be expected to satisfy themselves as to suitability and condition for their proposed use. The council cannot confirm ownership of the container located on site and will not take any liability for the condition or maintenance of the same. It is intended that the site is to be sold with the container in situ, but this cannot be guaranteed, nor will it be material in terms of the agreement.



7. It has been noted from a recent site visit that there are some probable flooding issues. Again, the council will not warrant the suitability of the site for the proposed use and any upgrades required in terms of flooding or any other remedials will rest with the purchase.
8. It is specifically noted that the site has restrictive access and there is likely to be repairs required to the access road/parking area. All such costs will rest with the purchaser.
9. The site is sold subject to all existing services including any wayleaves and or servitudes.
10. All other terms and conditions as might be required from the Chief Officer of the council's Legal Services.

As with all legal transactions, it is recommended that you take your own legal advice ahead of entering any contract.

I look forward to receipt of your acceptance or comments as might be appropriate for the Heads of Terms. With Terms agreed and following an in principal committee decision being taken, I will then seek delegated approval for the proposed transaction.

Yours sincerely

Scott Darroch MRICS
Section Manager (Assets and Procurement)